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Introduced Version

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## **SENATE CONCURRENT RESOLUTION No. 16**

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### **DIGEST OF INTRODUCED RESOLUTION**

A CONCURRENT RESOLUTION urging the Federal Communications Commission to more effectively prioritize the regulation of telemarketing calls and the use of automatic telephone dialing systems, calling number identification service (Caller ID), and other calling party number (CPN) services offered by telecommunications providers.

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## **DELPH, MERRITT**

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February 13, 2014, read first time and referred to Committee on Commerce, Economic Development & Technology.

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## SENATE CONCURRENT RESOLUTION No. 16

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1       A CONCURRENT RESOLUTION urging the Federal  
2       Communications Commission to more effectively prioritize  
3       the regulation of telemarketing calls and the use of automatic  
4       telephone dialing systems, calling number identification  
5       service (Caller ID), and other calling party number (CPN)  
6       services offered by telecommunications providers.

7       *Whereas, Pursuant to Title 47 of the Code of Federal*  
8       *Regulations, the Federal Communications Commission*  
9       *(FCC) has the responsibility of regulating telemarketing calls*  
10      *and the use of automatic telephone dialing systems, calling*  
11      *number identification service (Caller ID) and other calling*  
12      *party number (CPN) services offered by telecommunications*  
13      *providers;*

14      *Whereas, Certain developments in telecommunications*  
15      *technology, such as Voice Over Internet Protocol (VOIP)*  
16      *telecommunications, Caller ID spoofing, inexpensive*  
17      *international calling, and profit-sharing from Calling Name*  
18      *Database (CNAM) look-up services, have led to a*  
19      *proliferation of unwanted telemarketing calls;*

20      *Whereas, In the past two years, the Indiana Attorney*  
21      *General's office received over 33,000 complaints from*  
22      *Indiana citizens concerning unwanted telemarketing calls,*  
23      *and the National Do Not Call Registry received an additional*  
24      *57,395 Do Not Call complaints from Indiana citizens;*



1       *Whereas, In the past two years, at least 56% of the*  
2       *telemarketing complaints received by the Indiana Attorney*  
3       *General's office involved robocalls, and at least two thirds of*  
4       *the complaints involved spoofed Caller ID numbers and/or*  
5       *international calls;*

6       *Whereas, The Office of the Indiana Attorney General and*  
7       *other partners in state and federal agencies have reached*  
8       *their jurisdictional limits with respect to combating*  
9       *unwanted telemarketing calls;*

10       *Whereas, The existing regulations promulgated by the*  
11       *FCC under the Communications Act of 1934 and the*  
12       *Telephone Consumer Protection Act have been ineffective in*  
13       *stemming the tide of unwanted and illegal telemarketing*  
14       *calls, leaving a gap in regulation at the federal level; and*

15       *Whereas, Despite recent investigations and issuance of*  
16       *citations by the Telecommunications Consumers Division of*  
17       *the FCC's Enforcement Bureau, the gap created by the*  
18       *reluctance of the FCC to prioritize and effectively regulate*  
19       *the unwanted telemarketing calls has engendered a climate*  
20       *where telemarketers are emboldened to flout the existing,*  
21       *ineffective regulations and anonymously blast millions of*  
22       *unwanted telemarketing calls without fear of discovery or*  
23       *punishment: Therefore,*

24       *Be it resolved by the Senate of the General Assembly*  
25       *of the State of Indiana, the House of Representatives concurring:*

26       SECTION 1. That the Indiana General Assembly hereby urges the  
27       Federal Communications Commission to more effectively and  
28       aggressively prioritize the federal regulation of telemarketing calls and  
29       the use of automatic telephone dialing systems, calling number  
30       identification service (Caller ID), and other calling party number  
31       (CPN) services offered by telecommunications providers.

32       SECTION 2. That this petition should not prejudice, in any way,  
33       the ability of Indiana to regulate consumer telephone communications



1 under the procedures prescribed by Indiana and federal law.

2 SECTION 3. That the Secretary of the Senate is hereby directed to  
3 transmit a copy of this resolution to the Federal Communications  
4 Commission, United States Senator Dan Coats, United States Senator  
5 Joe Donnelly, United States Representative Peter Visclosky, United  
6 States Representative Jackie Walorski, United States Representative  
7 Marlin Stutzman, United States Representative Todd Rokita, United  
8 States Representative Susan Brooks, United States Representative Luke  
9 Messer, United States Representative André Carson, United States  
10 Representative Larry Bucshon, and United States Representative Todd  
11 Young.

